

PATENT COOPERATION TREATY

PCT

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 3801.P026	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/16)
International application No. PCT/US01/30499	International filing date (day/month/year) 19 December 2001 (19.12.2001)	Priority date (day/month/year) 19 December 2000 (19.12.2000)
International Patent Classification (IPC) or national classification and IPC IPC(7): Q06F 17/60 and US CL: 205/10		
Applicant EBAY, INC. (A CORPORATION OF CALIFORNIA)		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
 - This REPORT consists of a total of 4 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings - which have been amended and are the basis for this report and/or sheets containing notifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

- This report contains indications relating to the following items:

- I Basis of the report
- II Priority
- III Non-establishment of report with regard to novelty, inventive step and industrial applicability
- IV Lack of unity of invention
- V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI Certain documents cited
- VII Certain defects in the international application
- VIII Certain observations on the international application

Date of submission of the demand 16 July 2002 (16.07.2002)	Date of completion of this report 03 December 2004 (03.12.2004)
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPB/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703)308-5230	Authorized officer Tariq Haizir Telephone No. (703) 308-1113 <i>Al Wolpe for</i>

Form PCT/IPEA/169 (cover sheet) (July 1998)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US01/50499

I. Basis of the report

1. With regard to the elements of the international application*

- the international application as originally filed.
 the description:
 pages 1-14 as originally filed
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____
- the claims:
 pages 15-29 as originally filed
 pages NONE, as amended (together with any statement) under Article 19
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____
- the drawings:
 pages 1-13 as originally filed
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____
- the sequence listing part of the description:
 pages NONE, as originally filed
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in printed form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages NONE
- the claims, Nos. NONE
- the drawings, sheets/fig NONE

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 19 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments. (Rules 70.16 and 70.17)

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims 1-72 Claims NONE	YES NO
Inventive Step (S)	Claims NONE Claims 1-72	YES NO
Industrial Applicability (IA)	Claims 1-72 Claims NONE	YES NO

2. CITATIONS AND EXPLANATIONS

Claims 1-72 lack an inventive step under PCT Article 33(3) as being obvious over Pinsley et al (USPN 6070145) in view of Harrington et al (USPN 6161093).

As per claims 1-72, Pinsley et al disclose a survey system via the internet, wherein the consumer completes requested information about the advertiser's (i.e., requested) product or service, thereby disclosing receiving a request from a first user to leave feedback about a second user; generating a set of predefined feedback comments to be displayed to the user, each predefined feedback comment of the set of predefined feedback comments being associated with an indicator; identifying a predefined feedback comment from the set of predefined feedback comments as having been selected by the first user; and storing an indicator associated with the predefined feedback comment in a data structure associated with the second user, wherein the set of predefined feedback comments relate to an online transaction for at least one of goods and services.

Pinsley does not disclose auction or a second language. Harrington et al disclose an auctioneer provided via a web site (figure 1) and a verification page 30, including a list of questions that may be answered (i.e., survey, column 8, lines 44-59). In addition, a second or multiple languages would be a logical progression of the Pinsley system, since the internet is worldwide. Both Pinsley and Harrington disclose interactive websites, including surveying users, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the online surveying in Fuerst facilitated by an auction, as seen in Harrington, thereby increasing the robustness and flexibility of the Fuerst system.

Claims 1-72 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

----- NEW CITATIONS -----
US 6,070,145 A (PINSLEY et al) 10 May 2000, see entire document

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VI. Certain documents cited**1. Certain published documents (Rule 70.10)**

Application No. <i>(Patent No.)</i>	Publication Date <i>(day/month/year)</i>	Filing Date <i>(day/month/year)</i>	Priority date (valid claim) <i>(day/month/year)</i>
P US 6,311,190	30 October 2001 (30.10.2001)	02 February 1999 (02.02.1999)	None
P US 6,189,029	13 February 2001 (13.02.2001)	20 September 1996 (20.09.1996)	None

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure <i>(day/month/year)</i>	Date of written disclosure referring to non-written disclosure <i>(day/month/year)</i>